



1641
Atty. Dkt. No. 071949-5301

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: DAHLEN et al.
Title: USE OF B-TYPE NATRIURETIC PEPTIDE
AS A PROGNOSTIC INDICATOR IN
ACUTE CORONARY SYNDROMES
Appl. No.: 09/835,298
Filing Date: April 13, 2001
Examiner: G. Gabel
GAU.: 1641

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Commissioner for Patents, Washington, D.C. 20231, on
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Jodie M. Rivera
(Printed Name)
Jodie M. Rivera
(Signature)
August 1, 2002
(Date of Deposit)

TRANSMITTAL

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Assistant Commissioner for Patents
Box:
Washington, DC 20231

Sir:

Transmitted herewith is:

- ☒ Response to Restriction requirement.
☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872 (Order No. 071949-5301). Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872 (Order No. 071949-5301).

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date August 1, 2002
FOLEY & LARDNER
P.O. Box 80278
San Diego, CA 92138-0278
Telephone: (858) 847-6721
Facsimile: (858) 792-6773

By *Michael A. Whittaker*
Michael A. Whittaker
Attorney for Applicant
Registration No. 46,230



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Dahlen et al.

Serial No.: 09/835,298

Filed: April 13, 2001

Title: Use of B-type Natriuretic Peptide as a
Prognostic Indicator in Acute Coronary
Syndromes

Examiner: Gailene Gabel

Art Unit: 1641

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Jodie M. Rivas
(Printed Name)

(Signature)

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
Washington, D.C. 20231
Box Non-Fee Amendment

Dear Sir:

In response to the Office Action mailed July 3, 2002 ("Paper No. 5"), please enter the
following amendments and consider the following remarks.

IN THE CLAIMS

Please cancel claims 10 and 20-21 without prejudice to their future prosecution. Please
enter the following new claim:

22. (New) A method of determining a prognosis of a patient diagnosed with a non-ST-
elevation acute coronary syndrome, the method comprising:

determining a level of a polypeptide originating from pre-pro B-type natriuretic peptide in
a sample obtained from said patient; and

correlating said polypeptide level to said patient prognosis by determining if said
polypeptide level is associated with a predisposition to an adverse outcome of said non-ST-